(c) when the administrative approval of the Union Government is likely to be accorded to the Government of Maharashtra on the proposed Bill as only after that it can be introduced in the State Legislature?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI E.V.K.S. ELANGOVAN): (a) to (c) The Maharashtra Special Economic Zones and Designated Areas Bill, 2004 was received in the Ministry of Home Affairs on 26.04.2004 for obtaining the approval of the Government of India before its introduction in the State Legislature. Such proposals are examined from three angles *viz.* (a) repugnancy with any Central Law, (b) deviation from National or Central Policy and (c) legal and Constitutional validity. In this case, since there are certain policy issues to be sorted out in consultation with the concerned Ministries/Departments and the State Government, no time frame could be indicated.

Production of medicines patented abroad

2334. SHRI UDAY PRATAP SINGH: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether it is a fact that a number of medicines are available in India which are patented abroad and their patents are still valid;

(b) what will be the status of these medicines under the new Patent Law; and

(c) whether the Indian companies will be required to stop the production of these medicines which are already being manufactured by them?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI E.V.K.S. ELANGOVAN): (a) to (c) Patents are granted under the sovereign prerogative of countries according to their respective Patent Laws and only have territorial effect. Accordingly, the availability of medicines in India, which are patented abroad, is not affected unless a patent for the same exists in India. As per the new patent regime introduced through the Patents (Amendment) Ordinance, 2004, effective from 1st January, 2005, patent rights to applications for medicines or drugs filed under Section 5(2) of the Patents Act shall accrue only from the date of grant of patent in India. Thus, the Indian manufacturers can continue to manufacture such drugs for which patent protection is not valid in India.